

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

**State Building Code Appeals Board¹
Docket No. 05-344**

Michael Ashe,)
Appellant,)
)
v.)
)
Department of Public Safety and)
Louise Vera,)
Appellees)
)

BOARD'S RULING ON APPEAL

Procedural History

This matter came before the State Building Code Appeals Board ("the Board") on the Appellant's appeal filed pursuant to 780 CMR 122.1. In accordance with 780 CMR 122.3, the Appellant asks the Board to render an interpretation and direction of a building inspector's directive relative to the sections 780 CMR 1017.3, 780 CMR 1017.3.3, 780 CMR 1017.3.4, 780 CMR 1017.4, 780 CMR 1017.7, 780 CMR 1017.7.2, NFPA 72 5.12, and NFPA 72 5.12.6 of the Massachusetts State Building Code ("MSBC") for the Hampden County Sheriff's Department located at 627 Randall Road, Ludlow, MA. In accordance with MGL c. 30A, §§ 10 and 11; MGL c. 143, §100; 801 CMR 1.02 et. Seq.; and 780 CMR 122.3.4, the Board convened a public hearing on December 19, 2006 where all interested parties were provided with an opportunity to testify and present evidence to the Board.

Present and representing the Appellant was Patrick Dente of Hampden County Sheriff's Department and Paul Gatesman. Present and representing the Department of Public Safety was Louise Vera. There was no representative present from the Town of Ludlow Fire Department.

¹ This is a concise version of the Board's decision. You may request a full written decision within 30 days of the date of this decision. Requests must be in writing and addressed to: Department of Public Safety, State Building Code Appeals Board, Program Coordinator, One Ashburton Place, Room 1301, Boston, MA 02108.

Discussion


A motion was made to require that the Appellant upgrade each of the interstitial spaces with one fire alarm horn connected to the existing fire alarm panels in accordance with the fifth edition of the MSBC. The Appellant is not required to install additional pull stations because the building personnel in these areas will be equipped with portable radios and can manually tell the control room guard that there is a fire in the space. The spaces are also already equipped with sprinklers and a total upgrade of the system would be a hardship to the Appellant.

Conclusion

Motion carried 3-0.

SO ORDERED.


HARRY SMITH


ALEXANDER MACLEOD


KEITH HOYLE

DATED: January 22, 2007

** In accordance with M.G.L. c. 30A § 14, any person aggrieved by this decision may appeal to the Superior Court within 30 days after the date of this decision.*